

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27480 of 2020

Arising Out of PS. Case No.-84 Year-2017 Thana- SONBERSA District- Saharsa

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KUNDAN SAH Son of Laxman Sah Resident of Village- Manori, P.S.-
Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with S.T. No. 115 of 2018, arising out of Sonbarsa Raj P.S. Case No. 84 of 2017, for the offence punishable under Sections 304B, 201/120B of the Indian Penal Code, inasmuch as the earlier petition filed by the petitioner for grant of bail was rejected by a Co-ordinate Bench of this Court vide order dated 16.10.2019 passed in Cr. Misc. No. 52489 of 2019.

The learned counsel for the petitioner has



submitted that the petitioner is languishing in custody since 01.08.2017 and there is no possibility of conclusion of the trial in near future, hence, the petitioner be granted the privilege of bail.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and in view the fact that there is no change in circumstance from the day the prayer of the petitioner for grant of bail was rejected earlier, till date as also taking into account the heinous nature of crime committed by the petitioner i.e. having killed his wife, I do not find any reason for reconsideration of the prayer of the petitioner for grant of bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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